

PERU FTA CONTAINS UNPRECEDENTED TOOLS TO ENFORCE STRONG NEW LABOR AND ENVIRONMENTAL STANDARDS

Some have suggested that the tough new labor and environmental provisions are worthless so long as the Bush Administration is in charge of enforcing them.

This argument fails.

- **For the first time ever the Peru FTA empowers the United States to enforce fully and to the same extent as any other provision of the agreement:**
 - Basic labor standards as defined by the ILO,
 - Seven (7) key multilateral environmental agreements,
 - Prohibitions on all illegal logging (not just of mahogany), and
 - Failure by Peru to enforce *any* labor or environmental law.
- House Democrats have fought for **full parity of enforcement rights** — including dispute settlement mechanisms, and remedies — since the NAFTA “side agreements” in 1993, the fast track battle in 2001, and the CAFTA battle in 2005. We have finally achieved our goal.
- **Under existing “Section 301” *anyone* can file a petition with USTR alleging failure to enforce these important new commitments in the Peru FTA.**
 - *Under Section 301 of the Trade Act of 1974, any “interested person” can file a petition with USTR alleging that Peru is violating its obligations under the FTA. “Interested person” basically means ANYONE -- a domestic firm or worker, consumer groups, unions, exporters, environmental groups, even Members of Congress.*
- **If USTR attempts to avoid action on a petition, Congress, with our new majority, has powers of oversight – including subpoena powers – with which to pursue enforcement.**
- **The Peru FTA locks in international worker rights and environmental standards. But like so much legislation, the best assurance of enforcement of laws passed by this Congress is a Democratic administration sympathetic to the aims of the legislation.**